

**Washington State  
Liquor Control Board  
Strategic Plan 2005-2007**

## **Enforcement and Education**

### **Overview**

The Enforcement and Education Division employs 102 full- and part-time staff. About 90 percent of full-time staff are involved directly in enforcing Washington state laws governing the importation, manufacture, sale, distribution, possession and consumption of alcoholic beverages and tobacco. WSLCB liquor and tobacco tax officers carry out unannounced compliance checks, conduct interdictions of illegal tobacco shipments, conduct regular licensee site visits, consult with licensees and provide education assistance. They also work closely with local law enforcement agencies, the State Patrol and other government agencies.

### **Increased Need for Enforcement**

Growth in the number and types of licenses has increased the workload of enforcement officers substantially. The laws governing alcohol distribution and consumption also have grown more complex as the state attempts to improve its regulatory efforts. In 1994, the average assigned caseload was about 215 licensees per officer. That number had increased 28 percent to 276 liquor licensees per officer by 2003. In addition, each officer averages about 168 cigarette retailers.

### **Recruitment/Retention Issues**

The Enforcement and Education Division has pursued training and certification opportunities aggressively to help it meet the challenges accompanying growth in the number of licensed establishments. Because the agency has not been able to increase the number of field officers, it has focused on improving liquor enforcement officers' knowledge of alcohol and tobacco laws and on developing improved interpersonal skills for their work with licensees and the public.

Better-trained officers are capable of handling increasing workloads, enforcing increasingly complex laws, conducting more effective education programs and achieving increased levels of public safety. Nonetheless, the agency continues to experience excessive turnover in enforcement officers caused, in part, by salaries and benefits that are not competitive with those paid by other law enforcement agencies. Recruiting and retaining qualified officers is especially difficult in Seattle, where the cost of living is high and commute times long.

Senate Bill 6805, passed in 2002, authorized the WSLCB to send all new officers to the 720-hour Criminal Justice Training Commission (CJTC) program prior to starting enforcement activities. Recommended by a citizens review panel, this training has helped develop a more experienced and capable cadre of entry-level officers.

Unfortunately, this training requirement is contributing to increased turnover. Unacceptable numbers of newly trained liquor enforcement officers are being lured away by much better-paying jobs with local law enforcement agencies.

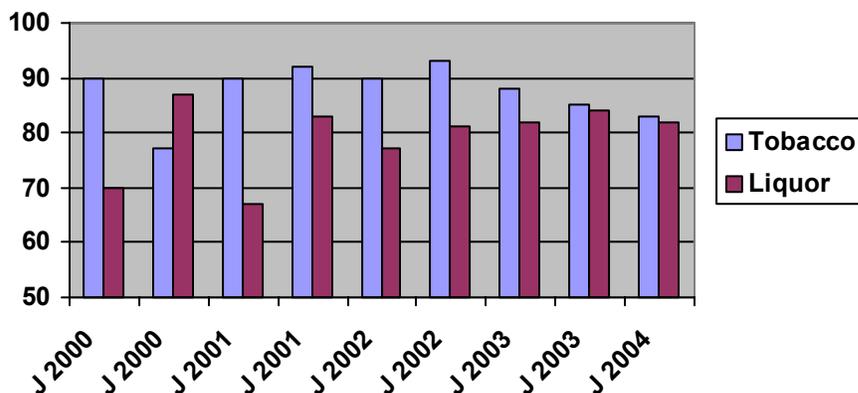
Last session, the agency sought approval for legislation granting its officers fully commissioned status. Fully commissioned liquor enforcement officers could make a greater contribution to public safety. The Legislature has not yet authorized full commissioning for LCB officers.

The Enforcement and Education Division and the WSLCB are committed, by policy, to recruiting, training, valuing and retaining a high-quality, diverse workforce. Non-competitive salaries make it difficult for the agency to attract applicants. WSLCB Human Resources and Enforcement staff will conduct a statewide effort to increase the number of diversity applicants for the job classification of Liquor Enforcement Officer. This active program will also be aimed at eliminating barriers to equal opportunity by supporting outreach programs to ensure equitable representation of minorities, women, persons of disability, Vietnam veterans and disabled veterans.

### Compliance Improvement

Monthly compliance checks are conducted under the supervision of liquor and tobacco enforcement officers with the assistance of under-age operatives, who attempt to purchase liquor or tobacco products from licensed retail outlets. Compliance checks are a highly effective enforcement tool. The division now requires its officers to complete at least 10 compliance alcohol compliance checks and five tobacco compliance checks per month.

**Alcohol and Tobacco Compliance Rates  
January/June 2000-2004**



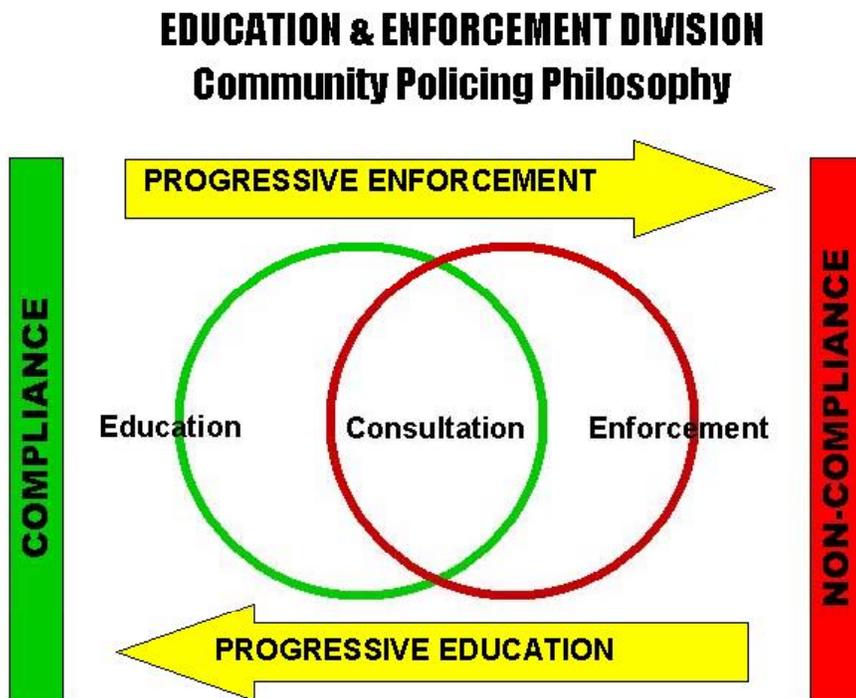
The chart above shows tobacco compliance rates well above liquor compliance rates, with liquor compliance rates improving during the last two years. The agency would like to increase the liquor and tobacco compliance rates to 95 percent by the end of this decade. Tobacco compliance rates have been historically higher than liquor compliance rates. This is attributable to the federal Synar law and a nationwide emphasis on reducing sale of tobacco to youth under age 18. Federal law requires states to maintain tobacco compliance rate of at least 80 percent. The statewide tobacco compliance rate was 87 percent in 2003. Illegal Internet sales have contributed to increased youth access.

## **Community-Oriented Liquor and Tobacco Enforcement (COLTE)**

In addition to compliance checks, the Enforcement and Education Division also pursues a policy of Community-Oriented Liquor and Tobacco Enforcement (COLTE). The purpose of the COLTE program is to deter violations by including the community and its resources in the prevention effort. The goal of the community policing philosophy is voluntary compliance. Licensee education is the preferred tool to gain and maintain compliance. However, when compliance rates decrease, the division conducts increased levels of education and enforcement.

Since the COLTE program was begun, complaints filed against liquor and tobacco enforcement officers by licensees have dropped 50 percent. A DUI Reduction Program involving liquor enforcement officers and local law enforcement significantly reduced the numbers of intoxicated drivers leaving targeted establishments.

The following diagram shows how the COLTE program works.



## **Tobacco Tax Enforcement**

Tobacco taxes are an important source of revenue for the state. In 2003, taxes for all tobacco-related products exceeded \$422 million. The Department of Revenue (DOR) estimates that tobacco tax evasion costs the State of Washington \$109 million annually. In 1997 the WSLCB was given the responsibility to enforce the state's tobacco tax laws. Fourteen enforcement officers carry out this responsibility statewide under the direction of a program manager and with the support of two non-commissioned FTEs. Tobacco tax agents have been increasingly successful interdicting illegal (untaxed) shipments of cigarettes and tobacco products into the state.

- More than 16,600 cartons of cigarettes were seized following a minor traffic accident involving a rental truck. The cigarettes were auctioned for \$119,000 and an additional \$237,633 in cigarette taxes were paid by the wholesaler making the purchase – a total of more than \$355,000 recovered for the state.
- Nearly 2,360 cartons of cigarettes were seized in November 2003, following a lengthy surveillance between a South Puget Sound Smoke Shop and the source of the contraband in Northern Idaho. That load was auctioned for \$24,000.
- A recent court decision upheld the state's right to recover tax from individuals who purchased cigarettes from online sites and efforts are under way through the WSLCB and DOR to collect these revenues.

## **Education Mission**

The division also carries out a Youth Alcohol and Education program to reduce underage drinking, high-risk drinking behavior and over-consumption. This program operates under the guidance of the State Coalition to Reduce Underage Drinking (RUAD). A second program to reduce youth access to tobacco is carried out with DOH, health districts, tobacco coalitions and local law enforcement agencies. This effort includes licensee education, premise inspections, compliance checks and enforcement actions.

## **Other Important Enforcement and Education Efforts**

- DUI Tracking System
- Keg Registration
- Voluntary License Education
- Party Patrol
- Alcohol Awareness Materials

## **Conclusion**

Enforcement and education activities have been proven repeatedly to be the most effective way to reduce sale to minors and over-service. A substantial increase in the number and types of licensed establishments has extended the scope of enforcement activity. Additional enforcement officers are needed to meet rising public expectations about alcohol safety, to conduct compliance checks with the rapidly growing licensee base and to help local communities develop improved safety programs. Additional training and certification programs also are needed.

# Goal, Objective, Strategy

- Goal:** *Recruit, develop, retain and value a high-quality, diverse workforce.*
- Objective:** **Upgrade liquor enforcement officer training** to meet state law enforcement training standards.
- Strategy:** Obtain law enforcement accreditation through the Commission on Accreditation for Law Enforcement Agencies (CALEA) by sending officers to the Basic Law Enforcement Academy (BLEA) provided by the Washington State Criminal Justice Training Commission (CJTC).
- Background:** A Governor-appointed Citizen Review Panel found that LCB training for Liquor and Tobacco Enforcement Officers (220 hours) was inadequate and did not meet state training standard of 720 hours. The panel also concluded that inadequate training was negatively impacting the delivery of service. LCB is ineligible for accreditation until training for all officers meets the state standard set by the Criminal Justice Training Commission.
- Solution:** Provide liquor and tobacco enforcement officers with the 720-hour *Basic Law Enforcement Academy Course* through the Criminal Justice Training Commission.
- Stakeholders:** Washington citizens, licensees, law enforcement agencies, the Criminal Justice Training Commission, liquor and tobacco enforcement officers, Washington Restaurant Association, Korean American Grocers Association, LCB Business Advisory Council, cities and counties and other agencies/organizations that deal with the impact of alcohol in their communities
- Partners:** CJTC and law enforcement agencies
- Lead Division:** Enforcement and Education
- Participating Divisions:** Licensing and Regulation, Human Resources, Financial and Policy, Legislative and Media Relations
- Start:** In progress  
**Finish:** June 2011

## Goal/Objective/Strategy

<b>Goal:</b>	<i>Educate the public about the WSLCB mission and contributions to the community.</i>
<b>Objective:</b>	Increase <b>voluntary compliance</b> to alcohol and tobacco regulations.
<b>Strategy:</b>	Implement Community Oriented Liquor and Tobacco Enforcement.
<b>Background:</b>	The 1999 Governor-appointed Citizen Review Panel recommended implementation of community-oriented policing. In 2000, the WSLCB implemented Community Oriented Liquor and Tobacco Enforcement (COLTE).
<b>Solution:</b>	Promote voluntary compliance through licensee training. Develop compliance enabling techniques and materials. Utilize the SARA problem-solving model to resolve community-licensee conflicts whenever possible.
<b>Stakeholders:</b>	Washington citizens, licensees, law enforcement agencies, Washington Restaurant Association, Korean American Grocers Association, LCB Business Advisory Council, cities and counties, and other agencies/organizations that deal with the impact of alcohol in their communities
<b>Partners:</b>	Law enforcement agencies, communities, licensees and DSHS Division of Alcohol and Substance Abuse
<b>Lead Divisions:</b>	Enforcement and Education
<b>Participating Divisions:</b>	Licensing and Regulation
<b>Start:</b>	In progress
<b>Finish:</b>	Ongoing

## Goal/Objective/Strategy

<b>Goal:</b>	<i>Enhance public safety by enforcing liquor and tobacco laws</i>
<b>Objective:</b>	<b>Improve supervisory and managerial controls.</b>
<b>Strategy:</b>	Obtain law enforcement accreditation through the Commission on Accreditation for Law Enforcement Agencies (CALEA).
<b>Background:</b>	National accreditation will ensure that Enforcement Division policies, procedures and management controls meet or exceed nationally recognized law enforcement standards and best practices. Accreditation will also strengthen risk management programs and reduce agency liability.
<b>Solution:</b>	Revise Enforcement Division Policy and Procedure Manual to ensure compliance with appropriate CALEA standards.
<b>Stakeholders:</b>	Internal Enforcement staff and OFM
<b>Partners:</b>	Criminal Justice Training Commission and law enforcement agencies
<b>Lead Division:</b>	Enforcement and Education
<b>Participating Divisions:</b>	Policy, Legislative and Media Relations
<b>Start:</b>	In progress
<b>Finish:</b>	June 2011

## Goal/Objective/Strategy

<b>Goal:</b>	<i>Enhance public safety by enforcing liquor and tobacco laws</i>
<b>Objective:</b>	<b>Reduce underage access</b> to alcohol and tobacco.
<b>Strategy:</b>	Increase compliance rates for youth access to alcohol and tobacco.
<b>Background:</b>	Compliance checks are a proven, effective method of decreasing sales to minors. As the number of compliance checks increases, compliance rates rise (and vice versa). Compliance checks using minor operatives are quick and effective enforcement tools when used in combination with licensee and youth education efforts.
<b>Solution:</b>	Conduct alcohol and tobacco compliance checks, conduct technical assistance visits with licensees and participate in underage emphasis patrols (party patrols, keg busters).
<b>Stakeholders:</b>	Citizens of the state, public schools, liquor and tobacco licensees and community organizations
<b>Partners:</b>	DASA, DOH, Office of Juvenile Justice Delinquency Prevention, RUAD Communities and local law enforcement agencies
<b>Lead Division:</b>	Enforcement and Education
<b>Participating Divisions:</b>	Licensing and Regulation
<b>Start:</b>	In progress
<b>Finish:</b>	June 2011

## Goal/Objective/Strategy

<b>Goal:</b>	<i>Educate the public about the WSLCB mission and contributions to the community</i>
<b>Objective:</b>	<b>Raise awareness</b> among children, parents and the general public <b>about the health and social costs of alcohol abuse</b> with the intent of reducing the problems associated with alcohol abuse on a statewide basis.
<b>Strategy:</b>	Enlist the assistance of a <i>Prevention Advisory Council</i> to develop new programs and services in support of the Board's legislative mandate to provide statewide alcohol abuse education programs. Partner with local communities, schools and colleges/universities, law enforcement and industry.
<b>Background:</b>	The Board, administrative director and PLMR conducted an 18-month study of alcohol abuse education efforts in Washington. Information was sought from key stakeholder groups through a survey, during board work sessions with state and national professional organizations. Gaps in the statewide effort were identified.
<b>Solution:</b>	Recruit <i>Prevention Advisory Council</i> members from interested stakeholder groups, hire an education coordinator to help guide and support the efforts of the PAC, create up to two initial pilot projects, implement and track successes, develop additional programs with the assistance of the PAC.
<b>Stakeholders:</b>	Governor's Council on Substance Abuse (GCSA), DSHS, criminal justice system, public education, cities/counties, licensees, industry partners, community interest groups and elected officials
<b>Partners:</b>	GCSA, DASA, State Patrol, Superintendent of Public Instruction and industry partners
<b>Lead Division:</b>	Policy, Legislative and Media Relations
<b>Participating Divisions:</b>	All divisions
<b>Start:</b>	June 2004
<b>Finish:</b>	Ongoing